

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/581,090

Applicant : HO, ET AL.

Filed : MAY 31, 2006

Title : COCHLEAR IMPLANT ASSEMBLY

Art Unit : TO BE ASSIGNED

Examiner : TO BE ASSIGNED

Atty Docket No. : COCH-0232-US1

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The below-identified communication(s) is (are) submitted in the above-captioned application or proceeding:

- ☒ Cover Letter (1 page)
- ☒ Response to Notification of Missing Requirements under 35 U.S.C. 731 (1 page)
- ☒ Declaration and Power of Attorney (10 pages)
- ☒ Supplemental Application Data Sheet (4 pages)
- ☒ Copy of Notification of Missing Requirements (2 pages)
- ☒ Second Preliminary Amendment (8 pages)
- ☒ Certified copy of Australian Provisional 2003906787
- ☒ Certified copy of Australian Provisional 2004905355
- ☒ Patent Fee Transmittal for FY 2006 (1 page w/dup.)
- ☒ Credit Card Payment Form (1 page)

Respectfully submitted,



Michael G. Verga
Registration Number 39,410
Customer Number: 22,506

PAID 2/20/07 \$1617.00
01 FC:1617 00000142 10581090

130.00 OP

JAGTIANI + GUTTAG
Democracy Square Business Center
10363-A Democracy Lane
Fairfax, Virginia 22030
(703) 591-2664

February 16, 2007

Patent Fee Transmittal for FY 2007

☐ Applicant(s) Claims Small Entity Status 37 C.F.R. 1.27

TOTAL AMOUNT OF PAYMENT \$130.00

Application No. 10/581,090
Filing Date 31-May-06
Named Inventor HO, Andy
Examiner Name To be assigned
Art Unit To be assigned
Attorney Docket No. COCH-0232-US1

FEE CALCULATION

1. Filing Fees

Application Type	Description	Code	Large Entity (\$)	Small Entity (\$)	Paid
Utility	Basic	1011	300	2011 150	\$ -
	Examination	1311	200	2311 100	\$ -
	Search	1111	500	2111 250	\$ -
Design	Basic	1012	200	2012 100	\$ -
	Examination	1312	130	2312 65	\$ -
	Search	1112	100	2112 50	\$ -
Plant	Basic	1013	200	2013 100	\$ -
	Examination	1313	160	2313 80	\$ -
	Search	1113	300	2113 150	\$ -
Reissue	Basic	1014	300	2014 150	\$ -
	Examination	1114	600	2114 300	\$ -
	Search	1314	500	2314 250	\$ -
Provisional	Basic	1005	200	2005 100	\$ -
National Stage	Basic	1631	300	2631 150	\$ -
	Examination	1633	200	2633 100	\$ -
	Search	1632	500	2632 250	\$ -

2. Extra Claim Fee

a. Claims as Filed		Extra Claims	Large Entity	Small Entity	Paid
Code	(\$)	Code	(\$)		
Total Claims	0	- 20 =	0	x	
Independent	0	- 3 =	0	x	
Multiple Dependent					
b. Claims as Amended					
After Amnt	Highest Paid	Present Extra	Large Entity	Small Entity	Paid
Code	(\$)	Code	(\$)		
Total Claims	39	- 45 *	0	x	
Independent	3	- 4 **	0	x	
First Presentation of Multiple Dependent					
* Less than 20, enter 20 ** Less than 3, enter 3					

3. Extra Page Fee

Total Pages		Extra Pages		Code (\$)		Code (\$)		Paid	
<div>0</div>		-100	<div>0</div>	1081 250		2081 125		\$ -	
Subtotal for Application Fees									
1	\$ -	+	2	\$ -	+	3	\$ -	=	\$ -

4. Additional Fees

Description	Code	Large Entity (\$)	Small Entity (\$)	Paid
Extension for response first month	1251	120	2251 60	\$ -
Extension for response second month	1252	450	2252 225	\$ -
Extension for response third month	1253	1,020	2253 510	\$ -
Extension for response fourth month	1254	1,590	2254 795	\$ -
Extension for response fifth month	1255	2,160	2255 1,080	\$ -
Notice of Appeal	1401	500	2401 250	\$ -
Filing a Brief in Support of an Appeal	1402	500	2402 250	\$ -
Request for Oral hearing	1403	1,000	2403 500	\$ -
Petitions under 1.17(f)	1462	400	1462 400	\$ -
Petitions under 1.17(g)	1463	200	1463 200	\$ -
Petitions under 1.17(h)	1464	130	1464 130	\$ -
Petition - public use proceeding	1451	1,510	1451 1,510	\$ -
Petition to Revive - Unavoidable	1452	500	2452 250	\$ -
Petition to Revive - Unintentional	1453	1,500	2453 750	\$ -
Utility Issue Fee	1501	1,400	2501 700	\$ -
Design Issue Fee	1502	800	2502 400	\$ -
Plant Issue Fee	1503	1,100	2503 550	\$ -
Reissue Issue Fee	1511	1,400	2511 700	\$ -
Publication Fee	1504	300	1504 300	\$ -
Statutory Disclaimer	1814	130	2814 65	\$ -

(cont.)

Description (cont.)

Description (cont.)	Code	Large Entity (\$)	Small Entity (\$)	Paid
Recording each Assignment	8021	40	8021 40	\$ -
Submission of IDS	1806	180	1806 180	\$ -
Request for Cont. Examination (RCE)	1801	790	2801 395	\$ -
Filing Submission After Final	1809	790	2809 395	\$ -
Surcharge - late filing fee or oath	1051	130	2051 65	\$ 130
Surcharge - late provisional fee	1052	50	2052 25	\$ -
Non-English Specification	1053	130	1053 130	\$ -
Processing Fee 37 CFR 1.17(q)	1807	50	1807 50	\$ -
Request for Ex Parte Reexamination	1812	2,520	1812 2,520	\$ -
Request Pub. of SIR prior to action	1804	920	1804 920	\$ -
Request Pub. of SIR after action	1805	1,840	1805 1,840	\$ -
Each Add. Invention Examined	1810	790	2810 395	\$ -
Expedited Examination (Design)	1802	900	1802 900	\$ -
Unintentionally Delayed Priority Claim	1453	1,370	1453 1,370	\$ -
Certificate of Correction	1811	100	1811 100	\$ -
Maintenance Fees 3.5 years	1551	900	2551 450	\$ -
Maintenance Fees 7.5 years	1552	2,300	2552 1,150	\$ -
Maintenance Fees 11.5 years	1553	3,800	2553 1,900	\$ -
Surcharge - Late Payment 6 mos.	1554	130	2554 65	\$ -
Other fee				\$ -

Additional Fee Subtotal 4 \$ 130

METHOD OF PAYMENT (Check all that apply)

☒ Credit Card (Provide credit card information and authorization on PTO-2038)

☒ Deposit Account No. 10-0233-COCH-0232-US1

For the above-identified deposit account, the Director is hereby authorized to:

- ☐ To charge the above-identified fee.
- ☒ To charge any additional fees which may be required under 37 CFR 1.16, 1.17, 1.18, 1.20 and 1.492 or credit any overpayment to the deposit account number listed above.

Submitted by:

Name Michael G. Verga Reg. No. 39,410
Firm Jagtiani + Gutttag
Address 10363-A Democracy Lane, Fairfax VA 22030
Telephone 703.591.2664 Fax 703.591.5907

Signature Date February 16, 2007

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RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35
U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE
(DO/EO/US)

Sir:

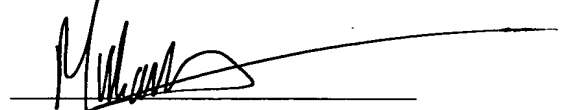
This is in response to the Notification of Missing Requirements dated February 2, 2007, the period for response to which is set to expire on April 2, 2007.

Submitted herewith is the executed declaration under 35 U.S.C. 371.

Also submitted, is a Supplemental Application Data Sheet to correct the inventors' residency information.

Please direct any inquiries in connection with this application directly to the undersigned.

Respectfully submitted,



Michael G. Verga
Registration Number 39,410
Customer Number: 22,506
Tel: (703) 563-2005

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Democracy Square Business Center
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February 13, 2007

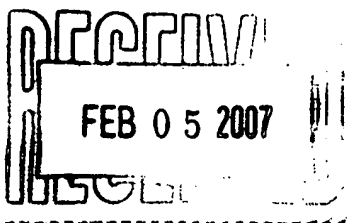


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/581,090	Andy Ho	COCH-0232-US1

22506
JAGTIANI + GUTTAG
10363-A DEMOCRACY LANE
FAIRFAX, VA 22030



INTERNATIONAL APPLICATION NO.	
PCT/AU04/01726	
I.A. FILING DATE	PRIORITY DATE
12/08/2004	12/08/2003

CONFIRMATION NO. 9471
371 FORMALITIES LETTER



OC00000002262213

Date Mailed: 02/02/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 05/31/2006
- Copy of the International Search Report filed on 05/31/2006
- Copy of IPE Report filed on 05/31/2006
- Preliminary Amendments filed on 05/31/2006
- Information Disclosure Statements filed on 05/31/2006
- U.S. Basic National Fees filed on 05/31/2006
- Priority Documents filed on 05/31/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

VIRGINIA L IRBY

Telephone: (703) 308-9140 EXT 229

PART 2 - OFFICE COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/581,090	PCT/AU04/01726	COCH-0232-US1

FORM PCT/DO/EO/905 (371 Formalities Notice)